

ROUTING AND RECORD SHEET				
SUBJECT: (Optional) Washington Post Article Concerning the Information Security Oversight Office				
FROM: Director of Information Services 1206 Ames		EXTENSION	NO OIS*150*86	STAT STAT
			DATE 1 May 1986	
TO: (Officer designation, room number, and building)	DATE <div>RECEIVED</div> <div>FORWARDED</div>		OFFICER'S INITIALS	COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)
1. EO/DDA 7D18 Hdqtrs.				<div style="text-align: right;"> LOGGED 0 1 MAY 1986 <div style="border: 1px solid black; border-radius: 50%; width: 60px; height: 60px; margin: 10px auto; display: flex; align-items: center; justify-content: center;"> AMES ISC </div> </div> <div style="text-align: center; margin-top: 100px;"> 70-7 </div>
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OIS*150*86
1 May 1986

MEMORANDUM FOR: Deputy Director for Administration

FROM:

Director of Information Services

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SUBJECT: Washington Post Article Concerning the
Information Security Oversight Office

1. This memorandum attempts to put the attached news article in its proper perspective by providing background information on the Information Security Oversight Office (ISOO) and its relationship with this Agency.

2. Background: ISOO was established in 1978 under Executive Order (E.O.) 12065 and continues under E.O. 12356, National Security Information. ISOO oversees the information security system throughout the Executive Branch. ISOO is an administrative component of the General Services Administration, but receives its policy direction from the National Security Council and annually reports directly to the President.

a. Pursuant to E.O. 12356, ISOO requires that a count of the number and type of classification decisions rendered by the Executive Branch be taken each Fiscal Year. To meet this requirement, the Agency counts the number of classification actions taken during a one week period and multiplies by 52. Clearly, the count may be high or low depending on events or programs underway during that particular week. Although the present method is far from perfect, it is the best method that either we or ISOO have been able to devise. In fact, at ISOO's suggestion, our counting method has been adopted by the Department of Defense. The statistics collected in these samplings are reported to ISOO and eventually compiled into ISOO's Annual Report to the President.

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b. In FY 85 the Agency had a 32% decrease in original classification decisions offset by a 42% increase in derivative classification decisions. We counted nearly a million more derivative classification decisions made in FY 85 than in FY 84. It is difficult to determine if the increase is real or if it is an aberration. In any event, to ensure a higher degree of validity in the statistical data gathering process, we are taking two samplings in FY 1986--an action noted in ISOO's annual report. Based on an analysis of the two samplings, we will determine whether two samplings are warranted in the future. The samplings are laborious and time consuming for all concerned and are seemingly of dubious value. They are, however, necessary to meet ISOO reporting requirements.

c. E.O. 12356 also authorizes ISOO to perform on-site inspections to review and examine information security procedures and practices. When inspecting Agency offices, the ISOO inspector is accompanied by an OIS staff member. The first of the ISOO inspections took place on 16 April in the Directorate of Intelligence Office of East Asian Analysis. As a general rule, the Agency has not encountered problems in meeting ISOO standards during these inspections.

d. In furtherance of his oversight role, last year the Director of ISOO chaired an interagency committee to identify ways of improving the Government-wide information security system. This Agency, as well as other members of the intelligence Community, was represented on the committee. Each Agency studied a particular aspect of the information security system and proposed measures they believed would improve the system. ISOO reviewed all of the proposals, discarded some, re-scoped others and finally selected thirteen to go forward to the National Security Council as ISOO initiatives. When forwarding the initiatives to the NSC, the Director of ISOO neglected to point out that some of the participating agencies, including CIA, disagreed with some of the initiatives. These initiatives have apparently received NSC approval and have been reported to the President in ISOO's annual report.

3. There are fundamental differences between ISOO and the Agency that do not lend themselves to easy solutions. The validity of ISOO's authority to oversee the Agency's information security program as it relates to DCI special authorities is

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difficult to define. For instance, in addition to oversight, ISOO is responsible for bringing uniformity into federal information security handling procedures. Often, uniform information security procedures devised by ISOO to meet the needs of most other Executive Branch agencies do not provide the degree of protection required by this Agency. In such instances, the Agency must attempt to get an exception to the proposed procedure--a step which detracts from the DCI's authority to protect intelligence sources or methods. Despite these differences, ISOO and CIA continue to have a good working relationship.

4. Traditionally, when the ISOO Annual Report is published, there is a flurry of media interest in ISOO, in the Director of ISOO's authorities and in the number of documents classified or declassified by the Executive Branch, particularly by the CIA. The attached news story (Tab A) claiming to quote Steve Garfinkel, the Director of ISOO, highlights the overall increases in classification decisions and bemoans the drop in the number of documents that were declassified. As one might expect, the article headlines the "surge" in classification decisions at the Agency. Our dealings with Steve Garfinkel lead us to believe that this quote is probably taken out of context. In discussions with the Director of ISOO we have recommended that his report take greater pains to explain and highlight the inherent weakness in the methodologies used to gather classification statistics. The overall increases and decreases in classification decisions reported are questionable at best.

5. A copy of ISOO's Annual Report to the President is also attached (Tab B). Portions of the report that pertain to CIA have been highlighted. If you wish, my staff will provide you with a detailed briefing on our relationship with ISOO. Incidentally, when Dick Kerr took over as the DDA, Steve Garfinkel paid him a courtsey visit. When your schedule permits, we will arrange for you to meet with Garfinkel.

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Attachments

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DA/OIS/IRMD/IMB dbm (30 April 1986)

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Distribution:

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THE WASHINGTON POST

... TUESDAY, APRIL 29, 1986 A17 A

DERAL PAGE

The 'Surge' in Secrecy

22 Million Items Were Added to the Classified List Last Year

Associated Press

The volume of secret U.S. government documents, estimated in the hundreds of millions, grew last year by more than 22 million items, according to an annual federal report.

The growth far outpaced the number of secret documents that were declassified last year—about 8.1 million, a sharp decline from previous years, the Information Security Oversight Office said in its recently released annual report.

"We're not seeing declassifications in sufficient numbers to make up for the increase," said Steven Garfinkel, director of the oversight office. "The buildup in the military program has led to a tremendous surge in derivative classifications. There also has been a tremendous increase at the CIA."

Overall, the federal government generated 22.3 million secret documents in fiscal 1985, a 14 percent jump over fiscal 1984, the report said.

While acknowledging that there is no reliable figure on the total of the government's secret documents, Garfinkel estimated it to be in the hundreds of millions.

He said the government is releasing old secret papers at a slower pace than in previous years because

of a cutback in spending for declassification programs and the end of a period when World War II documents could be released in bulk.

Despite the trend toward more secret documents, Garfinkel praised the government's handling

"The buildup in the military program has led to a tremendous surge in derivative classifications. There also has been a tremendous increase at the CIA."

— Steven Garfinkel, oversight director

of national security information and discounted the possibility that President Reagan's 1982 executive order on classifying documents had contributed to the increase.

Reagan's executive order dropped requirements set by President Jimmy Carter that govern-

ment secrecy must be balanced against the public's right to know and that possible damage to the national security must be "identifiable" before a document could be classified.

In the three years since that order, the number of classification rulings has risen from 17.5 million to 22.3 million, or nearly a one-fourth increase. But Garfinkel said that he has noticed little difference in the type of documents being classified.

Instead, he traced the trend to Reagan's military buildup, which has generated more documents that must be stamped secret, especially the so-called "derivative classifications," in which material already marked secret must be classified every time it is included in a new document.

The report noted that the number of original classifications, or new secrets, actually decreased by 5.8 percent compared with 1984, falling to 830,641, the lowest number since the oversight office began collecting these statistics in 1979.

The report also said that government officials increasingly are marking documents "top secret" or "secret," rather than the lowest level of classification, which is "confidential." The higher classification reduces the distribution of documents within the government.

Fielding: Call Him Partner

Former White House counsel Fred F. Fielding, 47, will become a partner in the 60-lawyer Washington firm of Wiley & Rein, according to sources close to Field-

ing firm specializes in communications law.

Fielding was en route to Australia yesterday as presidential envoy to a celebration of Australian-American



THE WASHINGTON POST
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